



Attorney General
STATE CAPITOL
Phoenix, Arizona 85007

Robert R. Corbin

November 30, 1982

LAW LIBRARY
ARIZONA ATTORNEY GENERAL

Mr. Robert B. Tanguy
Director
Department of Administration
The Capitol
Phoenix, Arizona 85007

Re: I82-129 (R82-120)

Dear Mr. Tanguy:

You have asked whether certain insurance carriers selling insurance plans, the premiums for which may be paid by payroll deductions authorized by A.R.S. § 38-612.B, may solicit employees as customers during the employees' work hours. A.R.S. § 38-612 authorizes payroll deduction services for employees' existing insurance programs; however, A.R.S. § 38-612 is silent about whether insurance carriers may solicit state employees during work hours concerning enrollment in personal insurance plans.

Solicitation of state employees for any purpose is subject to regulation by the agency responsible for the operation and security of the public buildings involved. As an example, the Arizona Department of Administration has the statutory duty to regulate the operation and security of public buildings described in A.R.S. § 41-791 et seq. Pursuant to this statutory authority, the Arizona Department of Administration, Public Buildings Maintenance Division, has promulgated A.C.R.R. R2-6-201. That rule provides:

No person shall directly or indirectly solicit for any purpose within the capitol buildings or upon the capitol grounds without having first obtained a permit from the Assistant Director.

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Agencies that operate buildings exempted by A.R.S. § 41-791 responsibilities may adopt solicitation regulations or policies similar to A.C.R.R. R2-6-201. See Atty.Gen.Op.No. 182-083.^{1/}

Sincerely,



BOB CORBIN
Attorney General

BC:JMU:kb

1. Atty.Gen.Op.No. 182-083 addressed issues involved in distribution of political advertisements in state buildings. That opinion indicates that if a building is exempt from control by the Assistant Director for Public Buildings Maintenance, the parties responsible for the building can adopt appropriate rules and regulations concerning the regulation of the time, manner and place of the distribution.